

103^D CONGRESS
1ST SESSION

H. R. 544

To amend title 18, United States Code, to prohibit the transfer of 2 or more handguns to an individual in any 30-day period.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 1993

Mr. TORRICELLI (for himself, Mr. MORAN, Mr. BARRETT of Wisconsin, Mr. ACKERMAN, Ms. MALONEY, Mr. BEILENSON, and Mrs. MORELLA) introduced the following bill; which was referred to the Committee on the Judiciary

JULY 15, 1993

Additional sponsors: Mr. BLACKWELL, Mr. RUSH, Mr. GUTIERREZ, Mr. SKAGGS, Mr. RANGEL, Mr. BATEMAN, Mr. SCOTT, Mr. WYNN, Mr. JOHNSTON of Florida, Mr. NADLER, Mrs. MEEK, Mr. STARK, Mrs. SCHROEDER, Mr. SHAYS, Mr. LIPINSKI, and Ms. WOOLSEY

A BILL

To amend title 18, United States Code, to prohibit the transfer of 2 or more handguns to an individual in any 30-day period.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Multiple Handgun
5 Transfer Prohibition Act of 1993”.

1 **SEC. 2. MULTIPLE HANDGUN TRANSFER PROHIBITION.**

2 (a) IN GENERAL.—Section 922 of title 18, United
3 States Code, is amended by adding at the end the follow-
4 ing:

5 “(s)(1)(A)(i) It shall be unlawful for any licensed im-
6 porter, licensed manufacturer, or licensed dealer—

7 “(I) during any 30-day period, to transfer 2 or
8 more handguns to an individual who is not licensed
9 under section 923; or

10 “(II) to transfer a handgun to an individual
11 who is not licensed under section 923 and who re-
12 ceived a handgun during the 30-day period ending
13 on the date of the transfer.

14 “(ii) It shall be unlawful for any individual who is
15 not licensed under section 923 to receive 2 or more hand-
16 guns during any 30-day period.

17 “(iii) It shall be unlawful for any licensed importer,
18 licensed manufacturer, or licensed dealer to transfer a
19 handgun to an individual who is not licensed under section
20 923, unless, after the most recent proposal of the transfer
21 by the individual, the transferor has—

22 “(I) received from the individual a statement of
23 the individual containing the information described
24 in paragraph (3);

1 “(II) verified the identification of the individual
2 by examining the identification document presented;
3 and

4 “(III) within 1 day after the individual fur-
5 nishes the statement, provided a copy of the state-
6 ment to the chief law enforcement officer of the
7 place of residence of the individual.

8 “(B) Subparagraph (A) shall not apply to the trans-
9 fer of a handgun to, or the receipt of a handgun by, an
10 individual who has presented to the transferor a written
11 statement, issued by the chief law enforcement officer of
12 the place of residence of the individual during the 10-day
13 period ending on the date of the transfer or receipt, which
14 states that the individual requires access to a handgun be-
15 cause of a threat to the life of the individual or of any
16 member of the household of the individual.

17 “(2) Paragraph (1) shall not be interpreted to require
18 any action by a chief law enforcement officer which is not
19 otherwise required.

20 “(3) The statement referred to in paragraph
21 (1)(A)(iii)(I) shall contain only—

22 “(A) the name, address, and date of birth ap-
23 pearing on a valid identification document (as de-
24 fined in section 1028(d)(1)) of the individual con-

1 taining a photograph of the individual and a descrip-
2 tion of the identification used;

3 “(B) a statement that the individual—

4 “(i) is not under indictment for, and has
5 not been convicted in any court of, a crime pun-
6 ishable by imprisonment for a term exceeding
7 one year;

8 “(ii) is not a fugitive from justice;

9 “(iii) is not an unlawful user of or addicted
10 to any controlled substance (as defined in sec-
11 tion 102 of the Controlled Substances Act);

12 “(iv) has not been adjudicated as a mental
13 defective or been committed to a mental institu-
14 tion;

15 “(v) is not an alien who is illegally or un-
16 lawfully in the United States;

17 “(vi) has not been discharged from the
18 Armed Forces under dishonorable conditions;

19 “(vii) is not a person who, having been a
20 citizen of the United States, has renounced
21 such citizenship; and

22 “(viii) has not received a handgun during
23 the 30-day period ending on the date of the
24 statement;

25 “(C) the date the statement is made; and

1 “(D) notice that the individual intends to ob-
2 tain a handgun from the transferor.

3 “(4) Any transferor of a handgun who, after the
4 transfer, receives a report from a chief law enforcement
5 officer containing information that receipt or possession
6 of the handgun by the transferee violates Federal, State,
7 or local law shall immediately communicate all information
8 the transferor has about the transfer and the transferee
9 to—

10 “(A) the chief law enforcement officer of the
11 place of business of the transferor; and

12 “(B) the chief law enforcement officer of the
13 place of residence of the transferee.

14 “(5) Any transferor who receives information, not
15 otherwise available to the public, with respect to an indi-
16 vidual in a report under this subsection shall not disclose
17 such information except to the individual, to law enforce-
18 ment authorities, or pursuant to the direction of a court
19 of law.

20 “(6) In the case of a handgun transfer to which para-
21 graph (1)(A) applies—

22 “(A) the transferor shall retain—

23 “(i) the copy of the statement of the trans-
24 feree with respect to the transfer; and

1 “(ii) evidence that the transferor has com-
2 plied with paragraph (1)(A)(iii)(III) with re-
3 spect to the statement; and

4 “(B) the chief law enforcement officer to whom
5 a copy of a statement is sent pursuant to paragraph
6 (1)(A)(iii)(III) shall retain the copy for at least 30
7 calendar days after the date the statement was
8 made.

9 “(7) For purposes of this subsection, the term ‘chief
10 law enforcement officer’ means the chief of police, the
11 sheriff, or an equivalent officer, or the designee of any
12 such individual.

13 “(8) This subsection shall not apply to the sale of
14 a firearm in the circumstances described in subsection (c).

15 “(9) The Secretary shall take necessary actions to as-
16 sure that the provisions of this subsection are published
17 and disseminated to dealers and to the public.”.

18 (b) HANDGUN DEFINED.—Section 921(a) of such
19 title is amended by adding at the end the following:

20 “(29) The term ‘handgun’ means—

21 “(A) a firearm which has a short stock and is
22 designed to be held and fired by the use of a single
23 hand; and

1 “(B) any combination of parts from which a
2 firearm described in subparagraph (A) can be as-
3 sembled.”.

4 (c) PENALTY.—Section 924(a) of such title is amend-
5 ed—

6 (1) in paragraph (1), by striking “paragraph
7 (2) or (3) of”; and

8 (2) by adding at the end the following:

9 “(5) Whoever knowingly violates section 922(s) shall
10 be fined not more than \$1,000, imprisoned for not more
11 than one year, or both.”.

12 (d) EFFECTIVE DATE.—The amendments made by
13 this Act shall apply to conduct engaged in 90 or more days
14 after the date of the enactment of this Act.

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